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**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**UNITED STATES OF AMERICA and
DONNA DILORETO, Revenue Officer,**

Petitioners,

v.

ELLIS RAY MOSELEY,

Respondent.

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) **Case No.: 3:08-cv-00108-JL**
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) **MOTION TO CHANGE TIME**
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Pursuant to Civil L.R. 6-3, petitioners request an extension until July 9, 2008, of the Order to Show Cause hearing currently scheduled for June 4, 2008. As noted in petitioners' earlier motion, petitioners request this change in time because respondent, Ellis Ray Moseley, has been in the process of complying with the IRS summons at issue in this case.

This continuance request is based in part on the attached declaration of Thomas M. Newman. As noted in the attached declaration, the government believes that respondent is making continual efforts to comply with the summons, which requests information spanning several years. Respondent has also stated, and the IRS Revenue has confirmed, that respondent's accountant is assisting in these compliance efforts.

JOSEPH P. RUSSONIELLO
United States Attorney

/s/ Thomas M. Newman
THOMAS M. NEWMAN
Assistant United States Attorney
Tax Division

CERTIFICATE OF SERVICE

The undersigned further certifies that I caused a copy of the Motion to Change Time, Proposed Order, and attached declaration by First Class Mail on the following:

Ellis Ray Moseley
1122 Ruby Street
Redwood City, CA 94061

Executed on **May 29, 2008** at San Francisco, California.

/s/ Thomas M. Newman
THOMAS M. NEWMAN
ASSISTANT UNITED STATES ATTORNEY